

Introduced by Senator Pavley

February 19, 2016

An act to amend Sections 7200 and 7200.5 of, and to add Section 7215.7 to, the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 1331, as introduced, Pavley. State Board of Guide Dogs for the Blind: membership: out of state schools: followup services.

Existing law establishes within the Department of Consumer Affairs a State Board of Guide Dogs for the Blind, which consists of 7 members appointed by the Governor.

Existing law requires 2 of the board members to be persons who are blind or visually impaired who use guide dogs.

This bill would instead require the board to be composed of at least 3 members who are blind or visually impaired who use guide dogs. Of these 3 board members, the bill would require one representative from each of the 2 major consumer organizations representing Californians who are blind or visually impaired. The bill would also require the Governor, in making these appointments, to consider recommendations from those organizations.

Under existing law, the board has exclusive authority in this state to issue licenses for the instruction of persons who are blind or visually impaired in the use of guide dogs and for the training of guide dogs for use by persons who are blind or visually impaired. Under existing law, the board also has exclusive authority in this state to issue licenses to operate schools for the training of guide dogs and the instruction of persons who are blind or visually impaired in the use of guide dogs. Existing law makes it unlawful for any person to sell, offer for sale,

give, hire, or furnish under any other arrangement, any guide dog or to engage in the business or occupation of training a guide dog unless he or she holds a valid and unimpaired license issued pursuant to this chapter. A violation of the provisions governing guide dogs is a crime.

This bill, whenever an individual has received training or instruction from a specified certified school outside of this state, would authorize personnel from that school to provide that individual with any followup services within this state with respect to the specific guide dog for whom training or instruction was originally provided outside of this state, as specified, and would place those services beyond the jurisdiction of the board. The bill, until January 1, 2018, would require the board to prepare a factsheet regarding various functions of the board, to post that fact sheet on its Internet Web site, and to provide copies to each of the licensed guide dog schools. The bill, until January 1, 2018, would also require a licensed guide dog school to provide copies of the fact sheet to every student receiving training from that school. Because the failure of a licensed guide dog school to provide those copies would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7200 of the Business and Professions
2 Code is amended to read:
3 7200. (a) There is in the Department of Consumer Affairs a
4 State Board of Guide Dogs for the Blind in whom enforcement of
5 this chapter is vested. The board shall consist of seven members
6 appointed by the Governor. One member shall be the Director of
7 Rehabilitation or his or her designated representative. The
8 remaining members shall be persons who have shown a particular
9 interest in dealing with the problems of persons who are blind or
10 visually impaired and at least ~~two~~ *three* of them shall be persons
11 who are blind or visually impaired who use guide dogs. *Of the*
12 *three members who are blind or visually impaired who use guide*

1 *dogs, there shall be one representative from each of the two major*
2 *consumer organizations representing Californians who are blind*
3 *or visually impaired, and the Governor shall, in making these*
4 *appointments, consider recommendations from those organizations.*

5 (b) This section shall remain in effect only until January 1, 2018,
6 and as of that date is repealed, unless a later enacted statute, that
7 is enacted before January 1, 2018, deletes or extends that date.
8 Notwithstanding any other law, the repeal of this section renders
9 the board subject to review by the appropriate policy committees
10 of the Legislature.

11 SEC. 2. Section 7200.5 of the Business and Professions Code
12 is amended to read:

13 7200.5. (a) The board shall have exclusive authority in this
14 state to issue licenses for the instruction of persons who are blind
15 or visually impaired in the use of guide dogs and for the training
16 of guide dogs for use by persons who are blind or visually
17 impaired. It shall also have exclusive authority in this state to issue
18 licenses to operate schools for the training of guide dogs and the
19 instruction of persons who are blind or visually impaired in the
20 use of guide dogs.

21 (b) *Notwithstanding any other law, whenever an individual has*
22 *received training or instruction from a school outside of this state*
23 *that is certified by the International Guide Dog Federation or a*
24 *successor entity, as determined by the board, personnel from that*
25 *school may provide, in this state, any followup services to that*
26 *individual with respect to the specific guide dog for whom training*
27 *or instruction was originally provided outside of this state, and*
28 *the board shall have no jurisdiction over any followup services*
29 *authorized pursuant to this subdivision.*

30 SEC. 3. Section 7215.7 is added to the Business and Professions
31 Code, to read:

32 7215.7. (a) The board shall prepare a factsheet that shall
33 contain all of the following:

- 34 (1) A description of the purposes served by the board.
35 (2) A description of the board's role in assisting guide dog users
36 who are victims of alleged guide dog discrimination.
37 (3) A description of the board's arbitration procedure under
38 Section 7215.6.

39 (b) The board shall post the factsheet on its Internet Web site
40 and provide copies to each guide dog school licensed pursuant to

1 this chapter. A school licensed under this chapter shall provide a
2 copy of the factsheet to every student receiving training from that
3 school.

4 (c) This section shall remain in effect only until January 1, 2018,
5 and as of that date is repealed, unless a later enacted statute, that
6 is enacted before January 1, 2018, deletes or extends that date.

7 SEC. 4. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 the only costs that may be incurred by a local agency or school
10 district will be incurred because this act creates a new crime or
11 infraction, eliminates a crime or infraction, or changes the penalty
12 for a crime or infraction, within the meaning of Section 17556 of
13 the Government Code, or changes the definition of a crime within
14 the meaning of Section 6 of Article XIII B of the California
15 Constitution.